



1049578

City of Chicago  
RICHARD M. DALEY, MAYOR

From the desk of

Naomi Avendano  
Managing Deputy  
Department of Law  
(312) 744-5128 or 3995

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DATE: September 9, 2011  
TO: Ilana Rosenzweig  
IPRA  
10 W. 35<sup>th</sup> Street, 12<sup>th</sup> Floor

Per N. Avendano, I am forwarding you the attached.

Lorraine McGregor  
Administrative Assistant  
Corporation Counsel's Office

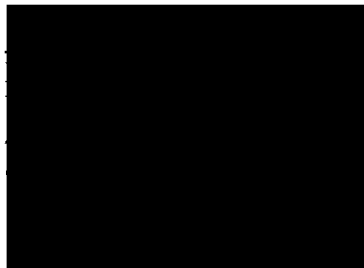
LOG # 1049578  
Attachment # 10

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

[REDACTED]	)	
Plaintiff,	)	No. [REDACTED]
	)	
v.	)	Judge Ruben Castillo
	)	
CITY OF CHICAGO,	)	Magistrate Judge Geraldine Soat Brown
Chicago Police Officers	)	
MORAD HALEEM, and JOHN	)	
DOES, 1 THROUGH 8, INCLUSIVE,	)	
Defendants.	)	JURY TRIAL DEMANDED

NOTICE OF FILING

YOU ARE HEREBY NOTIFIED that on September 1, 2011, I caused to be filed with the Clerk of the Court of the United States District Court for the Northern District of Illinois, Eastern Division, Chicago, Illinois, Plaintiff's Amended Complaint, a courtesy copy of which will be delivered to the Honorable Judge Ruben Castillo on September 2, 2011.



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CASE NUMBER: [REDACTED]

ASSIGNED JUDGE: Judge Ruben Castillo

DESIGNATED  
MAGISTRATE JUDGE: Judge Geraldine Soat Brown

V.

City of Chicago, Chicago Police Officers  
Morad Haleem, Star # 21488, and John  
Does 1 through 8, inclusive.

TO: (Name and address of Defendant)

City of Chicago  
121 N. LaSalle  
Chicago, Illinois, 60602

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

MICHAEL W. DOBBINS, CLERK

**NADINE FINLEY**

(By) DEPUTY CLERK

SEP 02 2011

DATE

## EASTERN DIVISION

**CITY OF CHICAGO,  
Chicago Police Officers  
MORAD HALEEM, and JOHN  
DOES, 1 THROUGH 8, INCLUSIVE,  
Defendants.**

**AMENDED COMPLAINT**

NOW COMES THE PLAINTIFF, [REDACTED] by and through his  
 ey, [REDACTED] and complains of the Defendants as follows:

## JURISDICTION & VENUE

1. The jurisdiction of the court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983; the Judicial Code, 28 U.S.C. §§ 1331 and 1343(a); and the Constitution of the United States. Pendent and supplementary jurisdiction arise under 28 U.S.C. § 1367.
2. Venue is proper pursuant to 28 U.S.C. § 1391(b) as the parties reside in this judicial district, and the events giving rise to the claims asserted herein occurred here as well.

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**PARTIES**

3. Plaintiff [REDACTED] is a resident of the United States and of the City of Chicago.
4. Defendant City of Chicago is a municipal corporation, duly incorporated under the laws of the State of Illinois and is the employer of the defendant police officers.
5. Defendant Morad Haleem, Star # 21488, is a duly appointed Chicago police officer who engaged in the conduct complained of in the course and scope of his employment with the City of Chicago and while he was on duty.
6. Defendant John Does 1-8, unknown Chicago police officers, acquiesced in Defendant Haleem's conduct and failed to provide prompt medical attention. They acted so within the scope of their employment with the City of Chicago and while they were on duty.
7. At all times material to this complaint, the police officer defendants were acting under color of state law, ordinance, and/or regulation. Each is sued in his or her individual capacity.

**FACTS**

8. [REDACTED] is a 35-year old man who is currently incarcerated at Pinckneyville Correctional Center.
9. On November 26, 2009, the evening of Thanksgiving, [REDACTED] was pulled over for having tinted windows. Pursuant to an investigative alert, he was taken

into custody. He was transferred to a number of different police stations, eventually ending up at Area 2, 727 E. 111th Street, Chicago, Illinois.

10. While in custody at Area 2, defendant Haleem interrogated Plaintiff. After doing so, defendant Haleem put Plaintiff in a lineup, and then returned him to the interrogation room to procure a signed statement.
11. Plaintiff was never permitted to talk with his counsel nor make a phone call, despite repeated requests.
12. After [REDACTED] refused to sign a statement, defendant Haleem removed him from the interrogation room and dragged him down the hall towards the holding facility. When Plaintiff complained that he could not move that quickly while handcuffed, defendant Haleem lost his temper.
13. Defendant Haleem grabbed [REDACTED] by the neck and choked him, and then slammed his head against the wall, causing [REDACTED] to fall to the ground. These actions caused the Plaintiff to suffer pain and injury.
14. Defendant Haleem then took [REDACTED] to a cell, where he repeatedly complained of defendant Haleem's actions and his resulting injuries. He requested medical attention and access to a phone from defendant Does. His requests were denied.
15. Although Plaintiff made defendant Does aware of his injuries, and repeatedly asked to be taken to the hospital to treat the injuries caused by defendant Haleem, such officers were deliberately indifferent and refused his requests.

16. When the shift change occurred in the morning of November 27, 2009, [REDACTED] again asked to be taken to the hospital. Plaintiff was finally taken to what he believes was Roseland Community Hospital.
17. At Roseland Community Hospital, Plaintiff was treated, given medication for his pain, and returned to the police station.
18. While at the police station, his substantial pain returned, and he asked for medical treatment repeatedly. Despite being in possession of Plaintiff's medication, unknown defendant Does refused to dispense it.
19. [REDACTED] was again denied medical treatment until after the shift change the next morning, on November 28, 2009, following which he was taken back to Roseland Community Hospital. Plaintiff was treated, given additional medication, and released to police custody.
20. As a direct and proximate cause of the acts of these defendants, as detailed above, Plaintiff has suffered and continues to suffer physical pain and injury and, *inter alia*, mental distress and humiliation.

#### COUNT I

##### **42 U.S.C. § 1983 – Excessive Force**

21. Each of the paragraphs of this Complaint is incorporated as if restated fully herein.
22. The acts of defendant Chicago police officer Morad Haleem, in physically abusing Plaintiff, constituted excessive and unreasonable use of force. This

conduct violated Plaintiff's rights under the Fourth Amendment to the United States Constitution to be free from unreasonable seizure, and his right to due process under the Fourteenth Amendment to the United States Constitution.

23. Additionally, defendant Haleem was aware that the force he used against Plaintiff was excessive and unreasonable.
24. These actions and inactions of defendant Haleem, were the direct and proximate cause of violations of Plaintiff's Fourth and Fourteenth Amendment Rights, his injuries, mental suffering, anguish and humiliation, and expenses, set forth more fully above.

WHEREFORE, Plaintiff demands actual or compensatory damages against Defendant Haleem, and, because he acted maliciously, wantonly, or oppressively, punitive damages, plus the costs of this action, attorneys' fees and other such additional relief as this Court determines equitable and just.

## COUNT II

### **42 U.S.C. § 1983 – Failure to Provide Medical Attention**

25. Each of the paragraphs of this Complaint is incorporated as if restated fully herein.
26. Plaintiff had a serious need for medical attention.
27. Plaintiff requested medical treatment.

28. Defendants Haleem and Does were deliberately indifferent to this serious medical need by failing to allow Plaintiff prompt access to treatment.

29. This misconduct by Defendant Officers caused harm to Plaintiff.

30. This misconduct was objectively unreasonable and was undertaken intentionally with malice, willfulness, and reckless indifference to Plaintiff's rights.

WHEREFORE, Plaintiff demands judgment against the Defendants Haleem and Does, jointly and severally, for compensatory damages, punitive damages, costs and attorneys' fees, medical expenses, and such other and additional relief that this Court deems equitable and just.

### COUNT III

#### **745 ILCS 10/9-102 Claim Against Defendant City of Chicago**

31. Each of the paragraphs of this Complaint is incorporated as if restated fully herein.

32. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are individually liable within the scope of their employment activities.

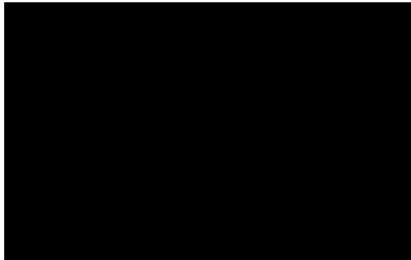
33. Defendant City of Chicago was the employer of defendants at all times relevant to this complaint.

34. Defendants committed the acts alleged above in the scope of their employment as employees of the City of Chicago.

WHEREFORE Plaintiffs, pursuant to 745 ILCS 10/9-102, demand judgment against the Defendant City of Chicago in the amount awarded to Plaintiffs against any and all defendants as a judgment, and/or for any settlement entered into between the Plaintiffs and any defendant and for whatever additional relief this Court deems equitable and just.

Dated: September 1, 2011

Respectfully submitted,



Attorney for Plaintiff

**Plaintiff demands trial by jury on each and every count.**